

# EXHIBIT H

David Donahue (DD 5808)  
Nicholas H. Eisenman (NE 0213)  
FROSS ZELNICK LEHRMAN & ZISSU, P.C.  
866 United Nations Plaza  
New York, New York 10017  
Phone: (212) 813-5900  
Fax: (212) 813-5901

Counsel for Plaintiff Universal Music - MGB NA LLC

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	
UNIVERSAL MUSIC - MGB NA LLC,	:
	:
Plaintiff,	:
	:
- against -	:
	:
KILLERSOUND, INC.,	:
	:
Defendant.	:
-----X	

07 Civ. 8353 (NRB)

**CLERK'S CERTIFICATE**

I, J. MICHAEL MCMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that (i) this action was commenced on September 25, 2007 with the filing of a Summons and Complaint, (ii) a copy of the Summons and Complaint, along with the Individual Practices of the Honorable Naomi Reice Buchwald and ECF information materials, were served on defendant pursuant to Rules 4(e)(1) and (h)(1) of the Federal Rules of Civil Procedure by posting and mailing on November 9, 2007 to defendant Killersound, Inc., c/o its Registered Agent, Frank Fouad Gelat, 34 Sawmill Court, Mountain View, CA 94043, and (iii) proof of such service thereof was filed on December 3, 2007.

I further certify that the docket entries indicate that the defendant has not filed an answer or otherwise moved with respect to the complaint herein. The default of the defendant is hereby noted.

Dated: New York, New York

3/4/08

**J. MICHAEL MCMAHON**  
Clerk of the Court

By: 

Deputy Clerk